IN THE DISTRICT COURT OF GUAM TERRITORY OF GUAM CRIMINAL MINUTES TRIAL

CASE NO.: CR-08-00004 DATE: June 24, 2008

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: None Present Court Reporter: Wanda Miles

Courtroom Deputy: Carmen B. Santos Electronically Recorded: 9:13:53 - 10:26:33

10:42:15 - 12:27:16 2:36:11 - 3:48:55 4:06:10 - 5:10:21

APPEARANCES:

Defendant: Eun Young Lee Attorney: Richard Arens

Marcelino Laserna Mark Smith
John Duenas Cynthia Ecube
Mary Garcia Leilani Lujan
Joseph Pangelinan Louie Yanza
Francisco Kawamoto Stephanie Flores

Francisco Kawamoto Stephanie Flores
Margaret Untalan Rawlen Mantanona

✓ Present □ Custody □ Bond □ P.R.
✓ Present ☑ Retained ☑ FPD ☑ CJA

U.S. Attorney: Karon Johnson U.S. Agent: K. Klocke, FBI

U.S. Probation: None Present

Interpreter: Sung Woo Yoon Language: Korean

PROCEEDINGS: Jury Trial - Day 12

- Witnesses sworn and examined; exhibits marked and admitted see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).
- Oral motion of Mr. Yanza to strike the testimony re Ji Eon Lee (Exhibit 48) granted due to failure to establish a proper foundation and hearsay. Jurors instructed to disregard the testimony.
- Government has a total of approximately 6 remaining witnesses.
- Court urged defense counsel to file a response to Government's Memorandum Concerning Unavailability of a Witness. Responses should be filed, preferably by June 25, 2008, but no later than Thursday morning, June 26, 2008.
- Court stated that the Rule 1006 summary evidence on Exhibit 14 must also be addressed by the parties.
- F. Randall Cunliffe is appointed to represent witness Ji Yeon Choi Ritter.
- Jury Trial (Day 13) continued to: <u>June 25, 2008 at 1:30 PM</u>

NOTES:

FRANCES M. TYDINGCO-GATEWOOD KARON JOHNSON CVNTHIA ECUBE, LEILANI LUIGE XANA, STEPHANIS FLORES (AND LANA) COURT REPORTER COURT REPORT REPORTER COURT REPORT REPORT REPORT REPORT REPORT REP	PRESI	D ING J U	DGE				PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH,		
JUNE 16, 17, 18, 19, 20, 2008 DATE DAT	FR	RANCE	S M. TY	DINGCO)-GATEW	OOD	KARON JOHNSON	CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES,		
NNE 23, 2088 DATE	HEAR	ING D	ATE (S)				COURT REPORTER	COURTROOM DEPUTY		
INDEX 23, 24, 2008							WANDA MILES	CARMEN B. SANTOS		
DATE				,			· · · · · · · · · · · · · · · · · · ·			
	JÖİNT	PLTF	DEF.				DESCRIPTION O	F EXHIBITS* AND WITNESSES		
9.46.37 - Jurors seated 9.48.09 - Witness Myung Sug Kim , called and sworn 9.949.14 - DX by Ms. Johnson 6.6908 6624/08 6616/08 661008	NO.	NO.	NO.	OFFERED	IDENTIFIED	ADMITTED	/			
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9-39-14 - DX by Ms. Johnson	<u> </u>									
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10:26:33 - 10:42:15 - Jurors excused- morning break 10:43:26 - CX by Mr. Yanza 35		11		0/11/08	0/24/08	6/11/08				
10.43:26 - CX by Mr. Yanza 10.40:26										
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PRESIDING JUDGE FRANCES M. TYDINGCO-GATEWOOD HEARING DATE (S)						PLAINTIFF'S ATTORNEY KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA	
								COURT REPORTER
						JUNE		11, 12, 13, 18, 19, 2
JOINT	PLTF.	DEF.	DATE	DATE	DATE	DESCRIPTION OF EXHIBITS* AND WITNESSES		
NO.	NO.	NO.	OFFERED	IDENTIFIED	ADMITTED	2:58:30 - CX by Mr. Arens		
		U-X		6/24/08			, identified by Mr. Arens (Dong Sik Jung)	
		U-A	C/1 L/00					
	11		6/11/08	6/24/08	6/11/08	Arens and admitted without object	nun by Lee March 29, 2005, offered by Mr.	
	_					3:17:35 - CX by Mr. Mantanona	troii (Trank Diaz)	
		U-X		6/24/08			, identified by Mr. Arens (Dong Sik Jung)	
	47-3		6/9/08	6/24/08	6/16/08		ffered by Government; Objections made;	
	47-4		3.7700			conditionally admitted 6/10/08, ad		
						3:44:00 - CX by Mr. Yanza	<u></u>	
						3:44:47 - CX by Ms. Lujan		
						3:46:06 - CX by Mr. Smith		
						3:47:07 - Witness excused		
						3:47:30 - Jurors excused - 10 minu	utes recess	
						3:48:01 - outside presence of with	esses	
						3:48:55 - Recess		
						4:06:10 - Resume afternoon session	on; jurors seated	
						4:07:37 - Witness Deuk Soon Ch	oi Pereda, called and sworn	
						4:08:46 - DX by Ms. Johnson		
	25-1, 25-5, 25-3, 25-4		6/9/08	6/24/08			Pereda) - offered by Government; Objections 0/08, admitted 6/16/08 with objections.	
	11		6/11/08	6/24/08	6/11/08	Fraudulent ITIN letter given to Ch Arens and admitted without object	nun by Lee March 29, 2005, offered by Mr. tion (Frank Blaz)	
						4:32:25 - Jurors excused - instruct		
						4:34:23 - Defense counsel urged t	by court to file responses to Government's	
						motions		
			<u> </u>			5:10:21 - End day 12	<u></u>	
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